

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

WILMINGTON TRUST, NATIONAL  
ASSOCIATION, AS TRUSTEE FOR THE  
REGISTERED HOLDERS OF WELLS FARGO  
COMMERCIAL MORTGAGE TRUST 2015-  
NXS2, COMMERCIAL MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2015-  
NXS2, acting by and through Rialto Capital  
Advisors, LLC, as Special Servicer under the  
Pooling and Servicing Agreement dated as of July  
1, 2015

Plaintiff,

-v-

WINTA ASSET MANAGEMENT LLC; NEW  
YORK CITY DEPARTMENT OF FINANCE; and  
SHUIGUN CHEN,

Defendants.

Case No. 1:20-cv-05309-JGK

**DECLARATION OF CAIHONG CHEN PURSUANT TO 28 U.S.C. § 1746  
IN SUPPORT OF WINTA ASSET MANAGEMENT LLC'S MOTION TO DISMISS THE  
FIRST AND SECOND COUNTS OF THE FIRST AMENDED COMPLAINT**

I, Caihong Chen, declare as follows:

1. I am the Vice President of Winta Asset Management LLC ("Winta"). Unless otherwise specified, I have personal knowledge of the facts set forth below.
2. Winta is the owner of the real property commonly known as the American Bank Note Company Building, located at 70 Broad Street, New York, New York (the "Property").
3. Winta has owned the Property since 2010.
4. The Property is a New York City designated landmark, listed on the National Register of Historic Places, and is an otherwise historical and well-known building in Lower Manhattan in prime condition.

5. Since early 2020, prior to the onset of the COVID-19 pandemic, Winta began negotiations with a Chinese-based real estate development and investment company for the sale of the Property. However, that prospective buyer, who is located in China, has been unable to inspect the Property in person due to the border closure between China and the United States that went into effect in January 2020.<sup>1</sup> Since that time, the prospective buyer and Winta have continued their discussions, but are unable to proceed until the border with China reopens and the prospective buyer is allowed to enter the United States to visit the Property.

6. The United States' border closure with China has also prevented Winta from showing and marketing the Property to any other prospective buyers, all of which are based in China.

I hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on February 16, 2021

  
Caihong Chen

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<sup>1</sup> See <https://www.whitehouse.gov/presidential-actions/proclamation-suspension-entry-immigrants-nonimmigrants-persons-pose-risk-transmitting-2019-novel-coronavirus/>